

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Skky, Inc.,

Case No.:13-2086 (PJS/JJG)

Plaintiff,

vs.

Manwin USA, Inc., and Manwin Holding,  
s.a.r.l.,

Defendants.

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Skky, Inc.,

Case No.:13-2089 (PJS/JJG)

Plaintiff,

vs.

Playboy Enterprises, Inc.,

Defendant.

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**AFFIDAVIT OF TODD M. NOSHER  
IN SUPPORT OF DEFENDANTS' MOTION FOR PROTECTIVE ORDER**

**I, TODD M. NOSHER, ESQ.**, of full age, hereby state as follows:

1. I am an attorney at law of the State of New York and an Associate at Venable LLP.

2. I submit this Affidavit in support of Defendants Manwin USA, Inc., Manwin Holding s.a.r.l. and Playboy Enterprises, Inc.'s (collectively "Defendants") Motion for a Protective Order.

3. Attached hereto as Exhibit 1 is a true and correct copy of the *Limelight Networks, Inc. v. Akamai Tech., Inc.* Supreme Court decision, dated June 2, 2014.

4. Attached hereto as Exhibit 2 is a true and correct copy of the June 4, 2014 letter from Frank M. Gasparo to Ronald Schutz.

5. Attached hereto as Exhibit 3 is a true and correct copy of Ryan M. Schultz's June 4, 2014 email to Todd M. Noshier.

6. Attached hereto as Exhibit 4 is a true and correct copy of Ryan M. Schultz's June 13, 2014 email to Todd M. Noshier.

7. Attached hereto as Exhibit 5 is a true and correct copy of Skky's First Set of Requests for Production to Manwin, dated October 31, 2013.

8. Attached hereto as Exhibit 6 is a true and correct copy of Todd M. Noshier's March 18, 2014 letter to Ryan M. Schultz.

9. Attached hereto as Exhibit 7 is a true and correct copy of Manwin's First Set of Interrogatories, dated May 7, 2014.

10. Attached hereto as Exhibit 8 is a true and correct copy of Skky, Inc.'s Answer to Manwin's Interrogatory No. 1, dated June 9, 2014 and designated Highly Confidential – Attorneys' Eyes Only. Exhibit 8 is filed under seal.

11. Attached hereto as Exhibit 9 is a true and correct copy of Skky, Inc.'s Answer to Playboy's Interrogatory No. 1, dated June 9, 2014 and designated Highly Confidential – Attorneys' Eyes Only. Exhibit 9 is filed under seal.

12. Attached hereto as Exhibit 10 is a true and correct copy of selected portions of Skky, Inc.'s Claim Charts ("Infringement Contentions") dated and served on Manwin and Playboy on February 24, 2014.

13. Attached hereto as Exhibit 11 is a true and correct copy of Playboy's Request For Production No. 48, dated March 18, 2014.

14. Attached hereto as Exhibit 12 is a true and correct copy Skky, Inc.'s Response to Playboy Enterprises, Inc.'s Request for Production No. 48, dated May 2, 2014.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dated: June 25, 2014

Todd M. Noshier  
Todd M. Noshier

June 25, 2014

Laurie Simpson  
Notary

LAURIE SIMPSON  
NOTARY PUBLIC, State of New York  
No. 01SI6161116  
QUALIFIED IN QUEENS COUNTY  
COMMISSION EXPIRES FEBRUARY 20, 2015